

Applicant : Erik R. Thoen et al.
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Attorney's Docket No. 01997-270001 / MIT 8554

- From before August 1, 1999, until the filing of the application on April 3, 2000, the applicants, the assignee (MIT), and the assignee's attorneys exercised due diligence in preparing and filing a patent application.

The Jiang reference, therefore, is not citable as prior art against the independent claims.

Since all rejections of the independent claims are premised in full or in large part upon Jiang, applicants submit that these claims are allowable over the art of record. The remaining claims depend from the independent claims, and should therefore be allowable as well.

Applicants request, therefore, that all pending claims be allowed. Enclosed is a \$110 check for the Petition for Extension of Time fee. Please apply any other charges or credits to Deposit Account No. 06-1050.

Attached to this Response are: Affidavit Of David A. Simons Under 37 C.F.R. § 1.131, and Affidavit Of Erik R. Thoen Under 37 C.F.R. § 1.131.

Respectfully submitted,

Date: 10/4/01

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